

Q2.2  
Amended

forming an absorbing layer, including oxide and nitride layers of a thickness of about 700 to about 750 Angstroms over said reflective layer, that absorbs a particular wavelength of light.

Please cancel claims 14 and 15 without prejudice.

Please amend claim 24 as follows:

A3

24 (Amended). The reflector of claim 18 wherein said absorbing layer is formed at a temperature below 250°C.

Please amend claim 30 as follows:

A4

30 (Amended). The method of claim 29 including depositing said oxide and nitride layers using chemical vapor deposition.

#### REMARKS

Claim 1 has been rewritten to include the subject matter of former dependent claim 7. Claim 7 was rejected under Section 103 as being unpatentable over Li. The Examiner suggests that the layer thicknesses are either inherently met by the disclosure of the coating or an obvious modification of one skilled in the art.

However, as shown in Figure 4, the blue shift with the 750 Angstrom oxide and nitride layers is considerably greater than that achieved with other thicknesses. As explained in the specification at page 4, lines 13 through page 5, line 2, the use of the two materials and the claimed thicknesses has a dramatic effect on the reflection of blue light producing the desired blue light shift. Nothing in Li suggests any reason to suggest that such a result would be achieved. In fact, it is not even clear that Li was even interested in achieving such a result. Therefore, claim 1, as amended, patentably distinguishes over the art of record.

What result?  
Not claim 1.

For the same reason, claim 8 and the claims dependent thereon should be patentable.

\* Claim 16 was rejected under Section 103 as being unpatentable over Jerman.

However, the office action concedes that Jerman expressly teaches away from forming the silver layer directly on the silicon substrate. It is argued, without any citation of support, that such a modification is considered to be obvious to one skilled in the art. However, such an

unsupported assertion fails to rise to the level of a *prima facie* rejection. See M.P.E.P. 2143. The Examiner must make some showing of where such a feature is suggested in the art and provide a rationale in the art to justify the modification. The Examiner's own subjective belief as to what would or would not be obvious to one skilled in the art is of no moment. In fact, in view of the failure to substantiate a *prima facie* rejection, no response is required from the applicant other than to point out the deficiencies in the alleged showing of a *prima facie* case. Therefore, reconsideration of the rejection is respectfully requested.

③  
room  
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< 50°C ( Claim 25 calls for depositing silver at a temperature less than 50°C. Claim 25 was rejected over the patents to Li in view of Jerman. The rejection does not seem to specifically address claim 25, at least as positioned in paragraph 12 of the office action. However, in paragraph 10 of the office action it is indicated that Jerman teaches depositing silver at room temperature. It is not believed that this is correct. All that Jerman states is that the "metal layers may be deposited in a manner than minimizes a residual internal stress at room temperature." This certainly does not suggest that the metals be deposited at these very low temperatures for metal deposition. Instead, it simply requires that they be deposited in a way that, in use at room temperature, they are free of internal stresses.

Therefore, reconsideration of the rejection of claim 25 and its dependent claims is respectfully requested.

④ Claim 30 was rejected under Section 112 and an appropriate amendment has been made to overcome the objection. Similarly, claim 24 has been amended to overcome the Section 112 objection.

Does it mean don't or not? With respect to the objection to claim 4 that the phrase "covered by an insulator" is not clear, it is not seen why "covered" does not describe a structural relationship. One thing covers another when it is positioned over it so as to cover it. This clearly defines a structural relationship. Therefore, reconsideration is requested.

Claims 7, 15, 22, and 29 were objected to for their use of the phrase "about." It is argued that it is not clear to what degree this thickness should be interpreted as about 700 to 750 Angstroms. It is clear from Figure 4 of the application what the purpose is of the claimed thickness range. Those skilled in the art will appreciate that it may be possible to vary from the 700 to 750 Angstrom range and still get the kind of results shown in Figure 4. Therefore, it is believed that it is abundantly clear what is meant by about. As pointed out in the M.P.E.P. at

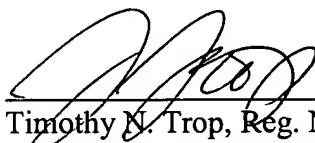
Section 2173.05(b)(A), the term "about" was held to be "clear, but flexible." Therefore, reconsideration of the rejection is respectfully requested.

In view of these remarks, the application is now in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested.

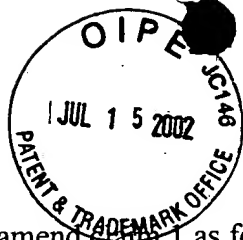
Respectfully requested,

Date:

July 8, 2002



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## APPENDIX

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Please amend claim 1 as follows:

1 (Amended). A reflector comprising:

a reflective layer; and

an absorbing layer that preferentially absorbs blue light, said absorbing layer being located over said reflective layer, said absorbing layer including about 700 to about 750 Angstroms of silicon dioxide and about 700 to about 750 Angstroms of silicon nitride.

Please cancel claim 7 without prejudice.

Please amend claim 8 as follows:

8 (Amended). A method comprising:

forming a reflective layer; and

forming an absorbing layer, including oxide and nitride layers of a thickness of about 700 to about 750 Angstroms over said reflective layer, that absorbs a particular wavelength of light.

Please cancel claims 14 and 15 without prejudice.

Please amend claim 24 as follows:

24 (Amended). The reflector of claim 18 wherein said [insulator] absorbing layer is formed at a temperature below 250°C.

Please amend claim 30 as follows:

30 (Amended). The method of claim [25] 29 including depositing [silver] said oxide and nitride layers using chemical vapor deposition.